

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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F.G. PINKSTON,

Plaintiff,

v.

ANDREW SAUL, Commissioner of Social
Security,

Defendant.

Case No. 2:20-cv-01747-EJY

ORDER

Before the Court is Plaintiff F.G. Pinkston's Motion for Order to Show Cause. ECF No. 5. Plaintiff, who is proceeding *pro se*, challenges the Social Security Administration's (the "Administration") denial of disability benefits on behalf of his minor grandchild, who is only identified throughout the filings as "B.A.P."

On October 8, 2020, the Court granted Plaintiff's Application for Leave to Proceed *in forma pauperis*, dismissed his Complaint without prejudice, and remanded this action to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for a "good cause" hearing concerning B.A.P.'s representative's failure to appear at the administrative hearing scheduled on or about November 4, 2019. ECF No. 3 at 6-7. Defendant was not served with this Order and opposing counsel has not appeared.

Plaintiff requests an order to show cause be issued to Defendant for failing to comply with the Court's October 8, 2020 Order. ECF No. 5 at 1. Plaintiff represents that he spoke with the Administration's Las Vegas Hearing Office and Appeals Council, the latter of which informed Plaintiff that "no action could happen because the [Administration's] San Francisco General [C]ounsel's office had not acted." *Id.* at 2. However, Defendant's nonresponse was due to the Court's error, which it corrects at this time.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of the Court **shall** serve the Commissioner of the Social Security Administration a copy of the Court's October 8, 2020 Order (ECF No. 3) by certified

1 mail to: (1) Office of the Regional Chief Counsel, Region IX, Social Security Administration, 160
2 Spear Street, Suite 800, San Francisco, CA 94105, and (2) the Attorney General of the United States,
3 Department of Justice, 950 Pennsylvania Ave. NW, Washington DC 20530. Due to the Court's
4 delay, it requests the Social Security Administration make its best efforts to schedule the good cause
5 hearing discussed herein within **sixty (60) court days** from the date of service.

6 IT IS FURTHER ORDERED that Plaintiff's Motion for Order to Show Cause (ECF No. 5)
7 is DENIED as moot.

8 DATED THIS 20th day of November, 2020.

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12 ELAYNA J. YOUCHAH
13 UNITED STATES MAGISTRATE JUDGE
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